

**STATE WATER RESOURCES CONTROL BOARD  
BOARD MEETING SESSION – CENTRAL VALLEY WATER BOARD  
OCTOBER 16, 2019**

**ITEM 3**

**SUBJECT**

CONSIDERATION OF A PROPOSED RESOLUTION APPROVING AMENDMENTS TO THE WATER QUALITY CONTROL PLANS FOR THE SACRAMENTO RIVER AND SAN JOAQUIN RIVER BASINS AND THE TULARE LAKE BASIN TO INCORPORATE A CENTRAL VALLEY-WIDE SALT AND NITRATE CONTROL PROGRAM

**DISCUSSION**

- Over the last 150 years, significant changes to the landscape, land uses, and hydrologic conditions of the Central Valley have occurred. Increased anthropogenic activities such as agricultural, municipal and industrial activities, population growth, and re-engineered distribution of the valley's natural hydrologic conditions have resulted in dramatic increases in salt and nitrates in surface water, groundwater, and soils.
- Elevated salt and nitrate concentrations threaten drinking water supplies and agricultural and industrial productivity.
  - In many communities, water supply wells do not meet nitrate drinking water standards.
  - Salt accumulation has resulted in 250,000 acres taken out of production and ~1.5 million acres being salinity impaired. If salt remains unmanaged, direct economic costs to the Valley could exceed \$1.5 billion per year by 2030.
- In 2006, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) initiated a collaborative stakeholder initiative, known as Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS), to develop a Central Valley-wide Salt and Nitrate Management Plan (SNMP). Stakeholder representatives included representatives from agriculture, municipalities, industry, water supply, environmental justice communities, state and federal regulatory agencies, and the public. In 2017, the CV-SALTS initiative submitted a final SNMP to the Board.
- On 31 May 2018, the Central Valley Water Board adopted [Resolution R5-2018-0034](#), which would amend the Water Quality Control Plans for the Sacramento River and San Joaquin River Basins and the Tulare Lake Basin to incorporate a Central Valley-wide Salt and Nitrate Control Program based on the CV-SALTS-developed SNMP.

- During the public participation portion of the State Water Resources Control Board's (State Water Board's) review of the amendments to the Water Quality Control Plans, several issues of concern were raised by stakeholders. Some of those issues can be addressed in the short term by providing short-term implementation direction to the Central Valley Water Board. Other issues relate to longer-term implementation and are therefore best addressed by directing the Central Valley Water Board to promptly make targeted revisions to the amendments to the Water Quality Control Plans.

## **GOALS**

The Central Valley SNCP addresses ongoing and legacy salt and nitrate accumulation that impacts beneficial uses. The overarching goals of the SNCP are:

1. Ensuring that persons impacted by nitrates are provided with safe drinking water supplies;
2. Issuing permits that are designed to result in balanced salt and nitrate loading; and
3. Managing aquifer restoration over the long term to restore the drinking water beneficial use where restoration is reasonable, practicable and feasible.

## **PROPOSED AMENDMENTS**

The Central Valley SNCP will provide a framework for the Board to regulate salt and nitrate in future permitting actions while also ensuring that groundwater users whose wells are impacted with nitrates are provided safe drinking water. The proposed Amendments include:

- A Phased Salt Control Program
- A Nitrate Control Program that includes:
  - Early Action Plans to provide Safe Drinking Water
  - Prioritized Groundwater Basins
  - Management Zone Alternative
- A Conditional Prohibition of Salt and Nitrate Discharges
- Surveillance and Monitoring Program
- Guidance to Implement Secondary Maximum Contaminant Levels
- New and Revised Policies to effectuate the Control Programs, including:
  - Revision of the Salinity Variance Policy
  - Revision of the Exceptions Policy
  - Drought and Water Conservation Policy
  - Offsets Policy
- Definitions and Terminology for the Salt and Nitrate Control Program

## **POLICY ISSUE**

Should the State Water Board approve the Amendments to the Water Quality Control Plans for the Sacramento River and San Joaquin River Basins and the Tulare Lake Basin to incorporate a Central Valley-wide Salt and Nitrate Control Program, subject to certain direction to the Central Valley Water Board regarding implementation and targeted revisions to the Amendments?

## **FISCAL IMPACT**

Central Valley Water Board and State Water Board staff work associated with or resulting from this action will be addressed with existing and future budgeted resources.

## **REGIONAL BOARD IMPACT**

Approval of this resolution will amend the Central Valley Water Board's Water Quality Control Plan for the Sacramento River and San Joaquin River Basins and the Water Quality Control Plan for the Tulare Lake Basin and result in future amendments to the Water Quality Control Plans.

## **REGIONAL BOARD STAFF RECOMMENDATION**

That the State Water Board:

1. Approve the proposed resolution approving the amendments to the Basin Plans adopted under Central Valley Water Board Resolution R5-2018-0034 subject to specific direction to the Central Valley Water Board regarding implementation and targeted revisions to the Amendments.
2. Authorize the Executive Director or designee to submit the amendments adopted under Central Valley Water Board Resolution R5-2018-0034 as approved, and the administrative record for this action to the Office of Administrative Law and the U.S. Environmental Protection Agency for approval.